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Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Note verbale dated 2 June 2005 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and has the honour to attach herewith the report submitted by Switzerland on the steps it has taken to implement the sanctions imposed by resolution 1596 (2005) (see annex).

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Annex to the note verbale dated 2 June 2005 from the Permanent Mission of the Switzerland to the United Nations addressed to the Chairman of the Committee

Report submitted by Switzerland pursuant to Security Council resolution 1596 (2005)

In its resolution 1596 (2005) of 18 April 2005, the United Nations Security Council requests all States concerned to report to the Security Council Committee established pursuant to resolution 1533 (2004) on the actions they have taken to implement the sanctions imposed by resolution 1596 (2005).

The Swiss authorities are currently enforcing the embargo on arms and any related materiel decided on in paragraph 20 of resolution 1493 (2003) and extended by paragraph 1 of resolution 1596 (2005) on the basis of the Federal Law on War Materiel of 13 December 1996 and the Federal Law on the Control of Goods, also of 13 December 1996, and of their respective implementing regulations.

Under the Federal Law on War Materiel, the manufacture, brokering, export and transit of war materiel are subject to authorization by the Swiss Government. Authorization is denied if the manufacture, brokering, export or transit of war material violates international law or is contrary to Switzerland's international obligations. For its part, the Federal Law on the Control of Goods is aimed at controlling dual-use and specific military goods. Permits for specific military goods are denied, for example, where the export of such goods is prohibited by the United Nations.

On the basis of the two aforementioned Laws, the Swiss Government has granted only two export permits for the above-mentioned goods in connection with the Democratic Republic of the Congo since 1998. In 2004, an export permit was granted to a Swiss national for a hunting rifle, and in 2005, another permit was issued for materiel intended for humanitarian demining, which this mission declared to the Committee on 27 April 2005, in accordance with article 2 (c) of resolution 1596 (2005).

The Swiss Government will issue a special order to implement the travel restrictions and financial sanctions covered in paragraphs 13 and 15 of resolution 1596 (2005) once the Committee has designated the persons referred to in paragraph 18 (a) of the resolution. The legal basis for this order is the Federal Law on the Implementation of International Sanctions of 2 March 2002.